

Appl. 09/558,284

Amdt. dated December 18, 2003

Response to May 20, 2003 Office Action.

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

LISTING OF CLAIMS

1. (Canceled)

2. (Currently amended) The ~~recombinant DNA molecule of claim 1~~ process of claim 10 or 42, wherein the sequence encoding the 2-DOG-6-P phosphatase DNA sequence is selected from the group consisting of:

(a) a DNA sequence which encodes the amino acid sequence of SEQ ID NO: 2;

(b) a DNA sequence of SEQ ID NO: 1;

(c) a DNA sequence which hybridizes under stringent conditions in 6 x SSC under 55 °C to a complementary strand of the DNA sequence of (a) or (b);

(d) a DNA sequence which is degenerate to the DNA sequence of (b) or (c); and

(e) a DNA sequence encoding a polypeptide amino acid sequence that is at least 90% identical to the amino acid sequence of SEQ ID NO: 2 and having 2-DOG-6-P phosphatase activity.

3. (Currently amended) The process of recombinant DNA molecule of claim 1 ~~or 2~~, wherein the DNA sequence is obtained from yeast.

4. (Currently amended) The ~~recombinant DNA molecule of claim 1 or 2~~ process of claim 10 or 42, wherein the promotor is a 35S CamV promoter.

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5. (Canceled)

6. (Canceled)

7. (Currently amended) ~~The vector of claim 6~~ The process of claim 42, wherein the second further recombinant DNA molecule encodes a peptide, protein, antisense-[[,]] or sense-RNA, viral RNA or ribozyme.

8. (Canceled)

9. (Canceled)

10. (Currently amended) A process for selecting a transformed plant cell, comprising the following steps:

(a) obtaining a plant cells;

(b) ~~introducing the recombinant DNA molecule of claim 1 or 2,~~ a DNA sequence comprising a promoter active in plants and a sequence encoding a 2-deoxyglucose-6-phosphate (2-DOG-6-P) phosphatase operably linked thereto, or a vector comprising said recombinant DNA molecule DNA sequence into said plant cells, under conditions that allow expression of the 2-DOG-6-P phosphatase; and

(c) selecting the successfully transformed plant cell on 2-deoxyglucose-containing media [or on media containing a non-metabolizable analogue of glucose].

11. (Currently amended) The process of claim 10 or 42, wherein the vector is transferred to the plant cells via Agrobacterium tumefaciens.

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12. (Currently amended) The process of claim 10 or 42, wherein the ~~recombinant DNA molecule~~ DNA sequence or vector is transferred to the plant cells by particle bombardment.

13-20. (Canceled)

21. (Currently amended) The ~~recombinant DNA molecule of claim 1 or 2~~ process of claim 10 or 42, wherein the DNA sequence further ~~comprising~~ comprises a regulatory sequence selected from the group consisting of a transcription termination sequence and a polyadenylation signal, or both, wherein said regulatory sequence is operably linked to the DNA sequence encoding said 2-deoxyglucose-6-phosphate phosphatase.

22. (Currently amended) The ~~recombinant DNA molecule of claim 1~~ process of claim 2, wherein the DNA sequence encodes the amino acid sequence of SEQ ID NO: 2.

23. (Currently amended) The ~~recombinant DNA molecule of claim 1~~ process of claim 2, wherein the DNA sequence is SEQ ID NO: 1.

24-41. (Canceled)

42. (New) A process for selecting a transformed plant cell, comprising the following steps:

- (a) obtaining a plant cell;
- (b) introducing a DNA sequence comprising a promoter active in plants and a sequence encoding a 2-

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deoxyglucose-6-phosphate (2-DOG-6-P) phosphatase operably linked thereto, and a second recombinant DNA molecule into said plant cell, under conditions that allow expression of 2-DOG-6-P phosphatase; and

(c) selecting the successfully transformed plant cell on a 2-deoxyglucose-containing media.

43. (New) The process of claim 42, wherein the DNA sequence is on the same or separate vector as the second recombinant DNA molecule.